IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 25194 of 2007(Y)

PETITIONER:

M.K. ANTAPPAN, AGED 46 YEARS,
S/O. KUNHIVARIED, MANGALAPPILLY HOUSE,
CHERUKADAPPURAM, P.O. KUTHIYATHODU NORTH,
NORTH PARAVUR TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.SABU GEORGE

RESPONDENT:

PUTHENVELIKARA GRAMA PANCHAYATH,
P.O. PUTHENVELIKARA, NORTH PARAVOOR TALUK,
ERNAKULAM DISTRICT, REP. BY ITS SECRETARY.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 25194 OF 2007

Dated this the 20th day of August, 2007

J U D G M E N T

Petitioner contends that he has submitted Ext.P1 application before the respondent/Panchayat requesting for grant of licence to conduct a poultry farm. It is admitted by the petitioner that he has already started operation of the farm. The question whether petitioner has authority to do so without obtaining permission and licence from the Panchayat, is a matter to be looked into by the said statutory authority. It is also contended by the petitioner that the local residents have no objection in starting the farm in that area and that they have given consent to do the same, as can be seen from Ext.P2. It is for the Panchayat to verify the same. Anyhow, the only prayer in this writ petition is to issue an appropriate direction to the Panchayat to take a decision on Ext.P1 expeditiously.

2. In view of the limited prayer made by the petitioner, the writ petition can be disposed of with a direction to the respondent to consider and pass orders on Ext.P1 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within

one month from the date of receipt of a copy of this judgment. It is made clear that I have not considered the merit of any of the contentions raised by the petitioner. It will be open to the Panchayat to take a decision after affording sufficient opportunity to the petitioner to be heard. Petitioners shall produce a certified copy of this judgment along with a copy of the writ petition before the respondent for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007